

AMENDED IN SENATE JUNE 20, 2012

AMENDED IN ASSEMBLY MAY 14, 2012

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2180

Introduced by Assembly Member Alejo

February 23, 2012

An act to add ~~Chapter 8 (commencing with Section 32495) to Division 23 of Section 32121.6~~ to the Health and Safety Code, relating to local health care districts.

LEGISLATIVE COUNSEL’S DIGEST

AB 2180, as amended, Alejo. Local health care districts: ~~employee benefits-employment contracts.~~

The Local Health Care District Law authorizes the organization and management of local hospital districts. That law authorizes the board of supervisors of a local hospital district to establish, maintain, and operate, or provide assistance in the operation of, one or more health facilities or health services, including, but not limited to, retirement programs, services, and facilities. *Existing law authorizes a local health care district to enter into a written employment contract with a hospital administrator.*

This bill would ~~prohibit the board of directors, a hospital district, and a health care facility licensed to a hospital district from providing to, or on behalf of, an officer or employee any payment contingent upon severance or retirement, or a lump-sum payment, including one based on service or merit, a contribution to more than one retirement plan, or any other retirement benefit, unless the employer makes the same~~

~~options available to all officers and employees require a hospital administrator employment agreement to include specified employment information.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 32121.6 is added to the Health and Safety~~
2 ~~Code, to read:~~

3 ~~32121.6. If a health care district enters into a written~~
4 ~~employment agreement with a hospital administrator, including~~
5 ~~a hospital administrator who is designated as a chief executive~~
6 ~~officer, the written employment agreement shall include all~~
7 ~~material terms and conditions agreed to between the district and~~
8 ~~the hospital administrator regarding compensation, deferred~~
9 ~~compensation, retirement benefits, severance or continuing~~
10 ~~compensation after termination of the agreement, vacation pay~~
11 ~~and other paid time off for illness or personal reasons, and other~~
12 ~~employment benefits that differ from those available to other~~
13 ~~full-time employees.~~

14 ~~SECTION 1. Chapter 8 (commencing with Section 32495) is~~
15 ~~added to Division 23 of the Health and Safety Code, to read:~~

16
17 ~~CHAPTER 8. BENEFITS OF OFFICERS AND EMPLOYEES~~

18
19 ~~32495. For the purposes of this chapter, the following~~
20 ~~definitions shall apply:~~

21 ~~(a) "Employer" includes the board of directors, a hospital~~
22 ~~district, and a health care facility licensed to a hospital district.~~

23 ~~(b) "Officer or employee" includes the hospital administrator,~~
24 ~~a director, policymaking management employee, or medical staff~~
25 ~~officer, and any executive or staff of the health care facilities~~
26 ~~licensed to the district.~~

27 ~~32496. An employer shall not provide to, or on behalf of, an~~
28 ~~officer or employee any of the following, unless the employer~~
29 ~~makes the same options available to all officers and employees:~~

30 ~~(a) A lump sum payment, including one based on service or~~
31 ~~merit.~~

32 ~~(b) Any payment contingent upon severance or retirement.~~

- 1 ~~(e) A contribution to more than one retirement plan or other~~
- 2 ~~supplemental pension plan, whether public or private.~~
- 3 ~~(d) Any other retirement benefit.~~

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